

To: Clerk of The United States District Court  
844 King Street

March 27, 2006 6:22 PM

Fr: Ricky James Hamley  
#191377 H.R.V.C.I.



Re: Civ: No. 05-626-JJF

Part I: JJF - % Clerk U.S.D.C.

Upon review of the order motion, I am not sure but I think I am required to serve #285 form to the Attorney General, (See #285 Form in separate Envelope to be served on the Attorney General - However, I could not provide his name because Mr. D'Angelo's - our legal advisor says he will not give it to me, and to just fill it out "Attorney General", please advise me if is proper, if not, advise me to what is.

I also request at this time and give further information that is pertinent to the investigation of my Civil Suit: - Correctional Medical Services was the Medical Company that was originally here in May 10th 2004, until July 2004 and did in fact deny me Medical Attention, Their Address is Correctional Medical Services, 12647 Olive Boulevard, P.O. Box, 419052, Saint Louis Missouri.

In July or August of 2004, First Correctional Medical ended \$15.44 Million, and took over as the Correctional Medical Provider, until around November of 2005. I believe they ask to be relieved of this contract where CMS came back as!

now is our Medical Providers once again!

In light of the new information I request and reserve the right to add et al. CMS, to also be held accountable. I ask the court for a Legal-Advisor-Attorney to Represent me because the Medical Staff as well as the institutional staff is trying to hinder me as well as intimidate me from proceeding with this Civil Action.

Part 2: Inst: Since it became clear and known to this institution that I am proceeding in civil court there has been forms of Retaliation from Convictional Staff in form of Verbal threats, Segregation threat and carried out, and now Pre-hearing detention.

③ Here now I wish to inform the United States District Court that a threat to do Bodily Harm do exist As of late last year, U.S. Senator threatened to make me "disappear" if I did not stop pushing paperwork within the institution and the Courts. At. Sabbo was also present, a black

Male and another officer with no name tags was there. By placing me into Administrative Segregation and by the inmate legal advisor - D'Angelo avoiding his responsibility to my request for information and materials to defend myself by law is violating my Constitutional

③ Rights



③

Part III: This is the reason for my request for an Attorney to be appointed to me as well as a Medical Expert. (Stephen Hampton is an Attorney of Doven who sometimes takes inmates claims, but I cannot even attempt to contact or locate him because of false institutional charges brought against me preventing me from calling anybody who "might help me locate him" it seems as though only my mail addressed to the courts is getting out!

- ⑥ I sat in administrative segregation for (327) days, no calls, no commissary or visits, just to be released and moved to I-E Pre-Hearing Detention with more false "different" charges, which was ordered by none other than "Lt. Senato" as a form of intimidation and retaliation against myself. Ricky James Hamby, as he promised he would!

→ <sup>key</sup> ⑦ On March 24<sup>th</sup>, 2006, Captain Bergum released me from Segregation (Charges Dismissed) and after I stated my concerns about the danger of me being placed into West Side Population which was (March 24, 06 at 3:36 pm) Captain agreed and said "Quote" I'll make a notation for you R&H to be released to the "East Side Only". That was the 8 am to 4 pm shift.

On March 24, 06, 4 to 12 shift, Lt Senato's



shift), at approximately 7:45 p.m. I was being forced to move into potential danger (West Side - Un-sentenced inmates) but I refused, Sgt Edwards was contacted by the pod office - Campbell, Sgt Edwards came and heard my concerns and to what Captain Bergen had stated to me, at this point he, Sgt Edwards stated he would contact Captain Bamford 4 to 12 shift, and see what he wanted to do about my situation. Lt. Senate "intercepted" and ordered for me to be placed into Pre-Hearing Detention and filed more false charges. On March 26, 06, I was taken to a hearing in front of Lt. Daniels 4 to 12 shift, he refused my due process by not letting me call witnesses or have Counsel or Confront my accuser. After I briefed him to the full extent of my encounters and situation, Lt Daniels stated, I'm going to keep you down here for 15 days (even though I may get my "ass" chewed - which I can handle - I have wide shoulders) in order to let Captain Bergen and Major Dax Williams, make room for you (me) on the East Side (where Sentenced Inmates Belong) to prevent any future miscommunication and to prevent any more charges or dangerous situations on your (my) behalf because they (Major Dax Williams - Captain Bergen), can do this for you, I



⑤

cant. "This is a Quote from the hearing officer Lt. Daniels" he also advised me to write to Captain Bergum, which I did on March 26, 06, I am awaiting his response, which at the same time, "I feel I must" inform this court to protect myself.

Both institutional Advisors are purposely reluctant to advise me "or" supply me with anything. If it wasn't for the inmates in 1-E I still wouldn't be able to keep notes dates times, people and ect: or to inform the court, no paper, pencil, stamps ect: I finally received the #285 form from D'Angelo with a copy of one case law, of which I've requested several, after I got a certain officer to call him for me D'Angelo finally came and talked to me but was very aggressive!

Part V: I have witnesses to the latest threats made by Lt. Senator, on 3-25-06 at 7:30 pm while doing a security check, he stated "Quote" Its a good thing you moved from 1-F to 1-E, "I was hoping you wouldn't" "I was literally going to come over there and shove this mace can, (he held it out) down your throat and watch you choke". Witnesses are: Inmate Don Juan Hensley, Officer Gashner and Rafinberger.

Since last year this institutional staff (to whom I'll mention as I get their names) has



Created a liberty interest and Violate's my 14th Amendment - See Wolff V. McDonnell, We have held that "(i)n almost every setting where important decisions turn on questions of facts, due process requires an opportunity to confront and cross-examine adverse witnesses, Prison Disciplinary Proceedings will invariably turn on disputed questions of "fact" not merely on what the Hearing Officer believes. see Landman V. Ruyter, 333 F. Supp, 621, 653, (E.D. Va. 1971) "and in addition to cross-examination to reveal mistakes of identity, faulty perception or cloudy memories" there is a "significant potential" "for the disciplinary process by persons motivated by malice vindictiveness, intolerance, prejudice, or jealousy." Green v. McElroy - whether there be inmates seeking revenge or "prison Guards seeking to 'vindicate' their otherwise absolute power over the man under their control!"

Wolff V. McDonnell - Although dangers posed by Guards, the resentment may still be substantial! See V. Washington, I Ricky James Hamby #191377, also claim the protection of the due process clause, that I may "not be" deprived of Life, Liberty, or property without due process law!



①

Fact: "On 2-26-06 I was placed into Segregation for (32) days with 'no' hearing to determine whether I should be placed there." After (32) days I was released (all charges dismissed) and shortly thereafter subjected to potential dangerous housing, "and falsely charged" through vindictiveness motives from (Lt. Senato) "placed into pre-hearing detention," 2 days later I had a hearing by Lt. Daniels (See Circle No<sup>#</sup> 3 to 16), I was denied the right to Council, to present witnesses, and to confront my accusers! I also learned that I thought I was signing "stating I received a copy of the hearing" when in fact it was a trick saying I did not want to appeal, "but in fact" I do want to appeal.

Comes now this day March 28, 06, I Ricky James Hamby v. Department of Corrections - Henry R. Young Correctional Institution and Defendants - Warden Raphael Williams - Lt. Senato (See Log Book - also request review of so called investigations by Captain Bergen et al.)

Also in part one (1) of this Civil Action I again request a right to add the Company and Medical Staff of CMS, Correction Medical Services as their individual Identities are revealed and discovered!

The word has a great impact to



the institution ("Not to give Mr. Hamby any information, names or titles"!)

"This will most likely be achieved through Medical and Institutional Records as well as my Personal Medical Records" "with careful consideration of investigation."

I also reserve the right to later include (Mr. D'Angelo - West Side Law Library -)

(Mr. Johnson - East Side Law Library -)

I will also show the Lt. Pedrick is a part of this vindictiveness-retaliation against me.

Note: Respectfully Request Priority a.s.a.p. to prevent retaliation from prison officials and staff.

Signed  
Ricky James Hamby

ori: JJF % Clerk of Court

cc: D'Angelo - Law Library

Mr. Johnson - Law Library

Comm: Stan Taylor

Raphael Williams - Warden

r. h.

file

To be delivered at a later date, preventing more retaliation!



Rocky H. H. H.  
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Wilm: 02-19809



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